

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Joseph John Kinney**

Docket No. **290540**

L.C. No. **05-003709-01**

Henry William Saad, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defects in this filing, and the defects were not corrected in a timely manner by providing this Court with the entry fee of \$375 or five copies of a motion to waive fees, an affidavit of indigency, and a prisoner account statement for the prior 12 months; five copies of a statement of facts explaining the delay in filing the appeal under MCR 7.205(F); five copies of the circuit court register of actions; five copies of an application conforming to MCR 7.212(C); and four more copies of the August 12, 2008 order denying the motion for relief from judgment. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR -7 2009

Date

Sandra Schultz Mengel

Chief Clerk